

Panaji, 29th January, 1981 (Magha 9, 1902)

SERIES I No. 44

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Revenue Department

## Notification

RD/RR/227/77

Department of Personnel and Administrative Reforms

## Notification

1/13(3)/77/PER (Vol. II)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Govt. of India, Ministry of Home Affairs Notification No. F.1/29/68-GP dated 29-6-1968, the Lt. Governor of Goa, Daman & Diu is pleased to make the following rules amending the "Government of Goa, Daman & Diu, Public Works Department, Group 'A' Gazetted post of Deputy Architect, Recruitment Rules, 1979" issued vide Notification No. 1-13(3)/77-Div. I (Vol. II) dated 22-12-1979 published in the Official Gazette No. 40, Series I, dated 4-1-1980.

1. *Short title and commencement.*— (i) These rules may be called the "Govt. of Goa, Daman & Diu, Public Works Department, Group 'A' Gazetted post Recruitment (first amendment) Rules 1981"

(ii) They shall come into force at once.

2. For the existing entry under Col. 12 of the Schedule appended to the recruitment rules substitute:

"Group 'A' DPC (for considering confirmation)

Consisting of:—

- i) Chief Secretary — Chairman.
- ii) Administrative Secretary — Member.
- iii) Head of Department — Member.

*Note:* The proceedings of DPC relating to confirmation shall be sent to the Commission for approval. If however, these are not approved by the Commission a fresh meeting of the D.P.C. to be presided over by the Chairman or a member of UPSC shall be held".

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 17th January, 1981.

Whereas pursuant to sub-rule (2) of Rule 6 of the Goa, Daman and Diu Land Revenue (Record of Rights and Register of Cultivators) Rules, 1969, drafts of the Index of lands prepared under rule 6(1) of the said Rules in respect of the villages specified in the Schedule below (hereinafter called "said Villages") were published by issuing notices calling upon all persons having interest in the lands in the said villages to inspect the drafts and submit their objections, if any, to any of the entries in the said drafts on or before the dates specified in such notices;

And Whereas, the Government is of the opinion that a fresh opportunity should be afforded to the persons having interested in the lands in the said villages to inspect the said drafts and submit their objections, if any;

Now, Therefore, in exercise of the powers conferred by sub-rule (2) of rule 6 of the Goa, Daman and Diu Land Revenue (Record of Rights and Register of Cultivators) Rules, 1969, the Government of Goa, Daman and Diu hereby specifies that the last date for submitting objections to any of the entries in the said drafts of Index of lands in respect of the said Villages shall be 30-4-1981.

## SCHEDULE

## Tiswadi Taluka

- |                |                 |              |
|----------------|-----------------|--------------|
| 1) Azossim     | 15) Curca       | 27) Mandur   |
| 2) Ambarim     | 16) Durgawado   | 28) Mercurim |
| 3) Bambolim    | 17) Ella        | 29) Murda    |
| 4) Bainguinim  | 18) Gancim      | 30) Neura o  |
| 5) Batim       | 19) Candaulim   | Grande       |
| 6) Chimbél     | 20) Goaim-Moula | 31) Neura o  |
| 7) Chorao      | 21) Goltim      | Pequeno      |
| 8) Calapur     | 22) Goa-Velha   | 32) Maroa    |
| 9) Capao       | 23) Jua         | 33) Navelim  |
| 10) Caraim     | 24) Morombi o   | 34) Panclim  |
| 11) Carambolim | Grande          | 35) Renovadi |
| 12) Cumbarjua  | 25) Morombi o   | 36) Siridao  |
| 13) Corlim     | Pequeno         | 37) Telaulim |
| 14) Cujira     | 26) Malar       | 38) Taleigao |

## Bardez Taluka

- |              |               |
|--------------|---------------|
| 1) Calangute | 2) Reis Magos |
|--------------|---------------|

## Bicholim Taluka

- |                |               |            |
|----------------|---------------|------------|
| 1) Amona       | 4) Maulinguem | 6) Suria   |
| 2) Cudnem      | South         | 7) Velguem |
| 3) Latambarcem | 5) Pale       |            |

## Satari Taluka

- |                 |                 |                  |
|-----------------|-----------------|------------------|
| 1) Ambeli       | 28) Gontoli     | 56) Querim       |
| 2) Ambedem      | 29) Golaui      | 57) Ravona       |
| 3) Ansolem      | 30) Govanem     | 58) Rivem        |
| 4) Advai        | 31) Guleli      | 59) Siroli       |
| 5) Assodem      | 32) Gululem     | 60) Surla        |
| 6) Anjunem      | 33) Ivrem-      | 61) Satrem       |
| 7) Bambodem     | -Buzruco        | 62) Sigonem      |
| 8) Buimpal      | 34) Ivrem-Curdo | 63) Saleli       |
| 9) Birondem     | 35) Morlim      | 64) Saterem      |
| 10) Carambolim- | 36) Massordem   | 65) Sonal        |
| Brama           | 37) Mauzi       | 66) Sanverdem    |
| 11) Choraundem  | 38) Malolim     | 67) Sonus-       |
| 12) Codat       | 39) Melaulim    | -Vonvollem       |
| 13) Caranzol    | 40) Malpona     | 68) Sanvordem    |
| 14) Camarconda  | 41) Manus       | 69) Siranguli    |
| 15) Cudcem      | 42) Naguem      | 70) Sirsodem     |
| 16) Compordem   | 43) Nagaragao   | 71) Ustem        |
| 17) Codqui      | 44) Nanelim     | 72) Valpoi       |
| 18) Codval      | 45) Nanorem     | 73) Veluz        |
| 19) Carambolim  | 46) Onda        | 74) Vainguinim   |
| Buzruca         | 47) Poriem      | 75) Vaguriem     |
| 20) Cotorem     | 48) Podocem     | 76) Velguem      |
| 21) Conquirem   | 49) Ponsuli     | 77) Kantem       |
| 22) Donguili    | 50) Pissurlem   | 78) Xelopo-Curdo |
| 23) Darodem     | 51) Pondral     | 79) Xelopo       |
| 24) Davem       | 52) Pale        | Buzruco          |
| 25) Dabem       | 53) Poncem      | 80) Zoreca       |
| 26) Damocem     | 54) Padelim     |                  |
| 27) Edorem      | 55) Quelaudem   |                  |

## Sanguem Taluka

- |                |               |                |
|----------------|---------------|----------------|
| 1) Aglote      | 12) Cumbari   | 23) Sigao      |
| 2) Camarconda  | 13) Darbonda  | 24) Sanguem    |
| 3) Bandoli     | 14) Donger    | 25) Santana    |
| 4) Codli       | 15) Molem     | 26) Sanvordem  |
| 5) Bati        | 16) Muguli    | 27) Sigonem    |
| 6) Coleni      | 17) Neturli   | 28) Surla      |
| 7) Coranguinim | 18) Liliem    | 29) Tudou      |
| 8) Costi       | 19) Portem    | 30) Villena    |
| 9) Cotarli     | 20) Rivona    | 31) Vichundrem |
| 10) Curpem     | 21) Sancordem | 32) Verlem     |
| 11) Colomba    | 22) Sangod    | 33) Rumbrem    |

## Canacona Taluka

- |             |                |               |
|-------------|----------------|---------------|
| 1) Agonda   | 5) Gotigao     | 8) Nagorcem-  |
| 2) Canacona | 6) Gaondongrem | -Palolem      |
| 3) Chaudi   | 7) Lollem      | 9) Poinguinim |
| 4) Cola     |                |               |

## Ponda Taluka

- |             |           |            |
|-------------|-----------|------------|
| 1) Betora   | 4) Ponda  | 7) Sixoda  |
| 2) Cuncolem | 5) Priol  | 8) Marcaim |
| 3) Nirancal | 6) Querim | 9) Usgao   |

## Quepem Taluka

- |               |               |              |
|---------------|---------------|--------------|
| 1) Asona      | 12) Cusmane   | 22) Quitai   |
| 2) Avedem     | 13) Deao      | 23) Quedam   |
| 3) Assolda    | 14) Fatorpa   | 24) Quepem   |
| 4) Ambeulim   | 15) Morpila   | 25) Sirvoi   |
| 5) Bali       | 16) Malcornem | 26) Sulcorna |
| 6) Bandordem  | 17) Maina     | 27) Tiloi    |
| 7) Barcem     | 18) Mangal    | 28) Udorna   |
| 8) Casora     | 19) Odar      | 29) Xeldem   |
| 9) Cavorem    | 20) Padi      | 30) Xeldem   |
| 10) Cordem    | 21) Pirla     | 31) Zanodem  |
| 11) Curchorem |               |              |

## Salcete Taluka

- |               |                 |                |
|---------------|-----------------|----------------|
| 1) Ambelim    | 12) Macazana    | 22) Seraultim  |
| 2) Ponsulim   | 13) Majorda     | 23) Sornabatim |
| 3) Betalbatim | 14) Mulem       | 24) Sirlim     |
| 4) Chinchinim | 15) Navelim     | 25) Talvorda   |
| 5) Carmona    | 16) Nuvem       | 26) Talaulim   |
| 6) Cabelossim | 17) Orilim      | 27) Utorda     |
| 7) Colvale    | 18) Paroda      | 28) Vanolim    |
| 8) Cortalim   | 19) Raia        | 29) Vaxcel     |
| 9) Cuncolem   | 20) Sarzora     | 30) Velim      |
| 10) Dramapur  | 21) Sao Jose de | 31) Verna      |
| 11) Loutolim  | Areal           | 32) Veroda     |

## Mormugao Taluka

- |             |              |             |
|-------------|--------------|-------------|
| 1) Chicalim | 5) Issorcim  | 8) Sancoale |
| 2) Cortalim | 6) Pale      | 9) Velsao   |
| 3) Cuelim   | 7) Sao Jamgo |             |
| 4) Dabolim  | Island       |             |

## Daman

- |               |             |               |
|---------------|-------------|---------------|
| 1) Daman wado | 3) Devka    | 5) Magarwada  |
| 2) Dabhel     | 4) Kachigam | 6) Ringanwada |
|               |             | 7) Marwada    |

## Diu

- |                |           |             |
|----------------|-----------|-------------|
| 1) Bhucharwada | 2) Simbor | 3) Vankabra |
|----------------|-----------|-------------|

By order and in the name of the Lt. Governor  
of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 16th January, 1981.

## Industries and Labour Department

## ORDER

2/70/80-ILD

Whereas the Government of Goa, Daman and Diu, in exercise of the powers conferred by section 22 B of the Indian Electricity Act, 1910 (Central Act 9 of 1910) has imposed certain restriction on the consumption of power vide notification No. 2/70/80-ILD dated 1-12-1980 published in the Official Gazette, Series I, No. 36 dated 6-12-1980.

And whereas the Government of Goa, Daman and Diu is of the opinion that for expeditious completion of various projects undertaken by the Government, it is necessary and expedient to exempt such installations of the Government projects from the purview of the said order.

Now, therefore, the Administrator of Goa, Daman and Diu in exercise of the powers conferred by section 22 B of the Indian Electricity Act, 1910 (Central Act 9 of 1910) hereby makes the following order to amend the Government Order No. 2/70/80-ILD dated 1-12-1980 as follows:—

In the "note" appended to the above order after item (v) the following shall be inserted, namely:—

"(vi) All projects of Government of Goa, Daman and Diu".

By order and in the name of the Administrator of Goa, Daman and Diu.

G. K. Bhattacharya, Secretary (Industries and Labour).

Panaji, 27th January, 1981.

## Law Department (Legal Advice)

## Notification

LD/6/33/80-Legal

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 9th day of October, 1980 and assented to by the Administrator on 14-1-1981 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary.

Panaji, 21st January, 1981.

The Goa, Daman and Diu Administrative Tribunal  
(Amendment) Act, 1980

(Act No. 1 of 1981)

AN  
ACT

further to amend the Goa, Daman and Diu Administrative Tribunal Act, 1965.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa, Daman and Diu Administrative Tribunal (Amendment) Act, 1980.

(2) It shall come into force at once.

2. *Amendment of section 5.*—In the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act 6 of 1965) in section 5, after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) When the Tribunal is not sitting either as a whole or in Benches, the Chairman, or any other Member nominated by the Chairman, may sit singly and exercise the powers of the Tribunal in relation to applications for stay of proceedings or execution of appealable orders or any supplemental proceedings and may pass such orders as he deems fit:

Provided that whenever any such order has been passed, it shall be placed before the concerned Bench of the Tribunal at its first sitting after the passing of the said order and that Bench may, after hearing the parties concerned confirm, modify or set aside the order.

*Explanation I.*—Nothing in this sub-section shall prevent the Chairman or the Member, as the case may be, who passed such order from taking part at its hearing before the concerned Bench of the Tribunal on the ground that it had been passed by the Chairman or the Member, as the case be.

*Explanation II.*—For the purposes of this sub-section, the expression “supplemental proceedings” shall mean proceedings involving the appointment of a receiver or adjournment of the hearing of a case or any matter incidental to the main case.”.

3. *Amendment of section 7.*—In sub-section (1) of section 7 of the principal Act, —

(i) for the opening paragraph, the following shall be substituted, namely:—

“The Tribunal shall, while exercising its jurisdiction, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) in respect of the following matters, namely:—”;

(ii) for clause (vi), the following clause shall be substituted, namely:—

“(vi) any other matter which may be prescribed.”.

4. *Amendment of section 13.*—In sub-section (2) of section 13 of the principal Act, for clause (b), the following clause shall be substituted, namely:—

“(b) the matters in respect of which powers may be vested in the Tribunal;”.

Secretariat,  
Panaji,  
21st January, 1981

U. D. SHARMA  
Secretary to the Government of  
Goa, Daman and Diu, Law  
Department (Legal Advice).

Notification

7/1/80-LGL

The following Central Act namely: The National Security Act, 1980, which was recently passed by the Parliament and assented to by the President of India on 27th December, 1980 and published in the Gazette of India, Part II, Section I dated 27th December, 1980 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 22nd January, 1981.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 27th December, 1980/  
Pausa 6, 1902 (Saka)

The following Act of Parliament received the assent of the President on the 27th December, 1980, and is hereby published for general information:—

The National Security Act, 1980

No. 65 of 1980

[27th December, 1980]

An Act to provide for preventive detention in certain cases and for matters connected therewith.

BE it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the National Security Act, 1980.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definitions.*—In this Act, unless the context otherwise requires, —

(a) “appropriate Government” means, as respects a detention order made by the Central Government or a person detained under such order, the Central Government, and as respects a detention order made by a State Government or by an officer subordinate to a State Government or as respects a person detained under such order, the State Government;

(b) “detention order” means an order made under section 3;

(c) “foreigner” has the same meaning as in the Foreigners Act, 1946; 31 of 1946.

(d) "person" includes a foreigner;

(e) "State Government", in relation to a Union territory, means the administrator thereof.

### 3. Power to make orders detaining certain persons.

— (1) The Central Government or the State Government may, —

(a) if satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to the defence of India, the relations of India with foreign powers, of the security of India, or

(b) if satisfied with respect to any foreigner that with a view to regulating his continued presence in India or with a view to making arrangements for his expulsion from India,

it is necessary so to do, make an order directing that such person be detained.

(2) The Central Government or the State Government may, if satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to the security of the State or from acting in any manner prejudicial to the maintenance of public order or from acting in any manner prejudicial to the maintenance of supplies and services essential to the community it is necessary so to do, make an order directing that such person be detained.

*Explanation.* — For the purposes of this sub-section, "acting in any manner prejudicial to the maintenance of supplies and services essential to the community" does not include "acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community" as defined in the *Explanation* to sub-section (1) of section 3 of the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980, and accordingly, no order of detention shall be made under this Act on any ground on which an order of detention may be made under that Act.

7 of 1980.

(3) If, having regard to the circumstances prevailing or likely to prevail in any area within the local limits of the jurisdiction of a District Magistrate or a Commissioner of Police, the State Government is satisfied that it is necessary so to do, it may, by order in writing, direct, that during such period as may be specified in the order, such District Magistrate or Commissioner of Police may also, if satisfied as provided in sub-section (2), exercise the powers conferred by the said sub-section:

Provided that the period specified in an order made by the State Government under this sub-section shall not, in the first instance, exceed three months, but the State Government may, if satisfied as aforesaid that it is necessary so to do, amend such order to extend such period from time to time by any period not exceeding three months at any one time.

(4) When any order is made under this section by an officer mentioned in sub-section (3), he shall forthwith report the fact to the State Government to which he is subordinate together with the grounds on which the order has been made and such other

particulars as, in his opinion, have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless, in the meantime, it has been approved by the State Government:

Provided that where under section 8 the grounds of detention are communicated by the officer making the order after five days but not later than ten days from the date of detention, this sub-section shall apply subject to the modification that, for the words "twelve days", the words "fifteen days" shall be substituted.

(5) When any order is made or approved by the State Government under this section, the State Government shall, within seven days, report the fact to the Central Government together with the grounds on which the order has been made and such other particulars as, in the opinion of the State Government, have a bearing on the necessity for the order.

4. Execution of detention orders. — A detention order may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1973. 2 of 1974.

5. Power to regulate place and conditions of detention. — Every person in respect of whom a detention order has been made shall be liable —

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and

(b) to be removed from one place of detention to another place of detention, whether within the same State or in another State, by order of the appropriate Government:

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

6. Detention orders not to be invalid or inoperative on certain grounds. — No detention order shall be invalid or inoperative merely by reason —

(a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the Government or officer making the order, or

(b) that the place of detention of such person is outside the said limits.

7. Powers in relation to absconding persons. —

(1) If the Central Government or the State Government or an officer mentioned in sub-section (3) of section 3, as the case may be, has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, that Government or officer may —

(a) make a report in writing of the fact to a Metropolitan Magistrate or a Judicial Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides;

(b) by order notified in the Official Gazette direct the said person to appear before such offi-

cer, at such place and within such period as may be specified in the order.

(2) Upon the making of a report against any person under clause (a) of sub-section (1), the provisions of sections 82, 83, 84 and 85 of the Code of Criminal Procedure, 1973, shall apply in respect of such person and his property as if the detention order made against him were a warrant issued by the Magistrate. 2 of 1974.

(3) If any person fails to comply with an order issued under clause (b) of sub-section (1), he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under sub-section (3) shall be cognizable. 2 of 1974.

**8. Grounds of order of detention to be disclosed to persons affected by the order.**—(1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in exceptional circumstances and for reasons to be recorded in writing, not later than ten days from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

**9. Constitution of Advisory Boards.**—(1) The Central Government and each State Government shall, whenever necessary, constitute one or more Advisory Boards for the purposes of this Act.

(2) Every such Board shall consist of three persons who are, or have been, or are qualified to be appointed as, Judges of a High Court, and such persons shall be appointed by the appropriate Government.

(3) The appropriate Government shall appoint one of the members of the Advisory Board who is, or has been, a Judge of a High Court to be its Chairman, and in the case of a Union territory, the appointment to the Advisory Board of any person who is a Judge of the High Court of a State shall be with the previous approval of the State Government concerned.

**10. Reference to Advisory Boards.**—Save as otherwise expressly provided in this Act, in every case where a detention order has been made under this Act, the appropriate Government shall, within three weeks from the date of detention of a person under the order, place before the Advisory Board constituted by it under section 9, the grounds on which the order has been made and the representation, if any, made by the person affected by the order, and in case where the order has been made by an officer mentioned in sub-section (3) of section 3, also the report by such officer under sub-section (4) of that section.

**11. Procedure of Advisory Boards.**—(1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government within seven weeks from the date of detention of the person concerned.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

(3) When there is a difference of opinion among the members forming the Advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board; and the proceedings of the Advisory Board and its report, excepting that part of the report in which the opinion of the Advisory Board is specified, shall be confidential.

**12. Action upon the report of the Advisory Board.**—(1) In any case where the Advisory Board has reported that there is, in its opinion, sufficient cause for the detention of a person, the appropriate Government may confirm the detention order and continue the detention of the person concerned for such period as it thinks fit.

(2) In any case where the Advisory Board has reported that there is, in its opinion, no sufficient cause for the detention of a person, the appropriate Government shall revoke the detention order and cause the person concerned to be released forthwith.

**13. Maximum period of detention.**—The maximum period for which any person may be detained in pursuance of any detention order which has been confirmed under section 12 shall be twelve months from the date of detention:

Provided that nothing contained in this section shall affect the power of the appropriate Government to revoke or modify the detention order at any earlier time.

**14. Revocation of detention orders.**—

(1) Without prejudice to the provisions of section 21 of the General Clauses Act, 1897, a detention order may, at any time, be revoked or modified,—

(a) notwithstanding that the order has been made by an officer mentioned in sub-section (3) of section 3, by the State Government to which that

officer is subordinate or by the Central Government;

(b) notwithstanding that the order has been made by a State Government, by the Central Government.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer mentioned in sub-section (3) of section 3, as the case may be, is satisfied that such an order should be made.

**15. Temporary release of persons detained.**—(1) The appropriate Government may, at any time, direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may, at any time, cancel his release.

(2) In directing the release of any person under sub-section (1), the appropriate Government may require him to enter into a bond with or without sureties for the due observance of the conditions specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time and place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and any person bound thereby shall be liable to pay the penalty thereof.

**16. Protection of action taken in good faith.**—No suit or other legal proceeding shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Act.

**17. Act not to have effect with respect to detentions under State laws.**—(1) Nothing in this Act shall apply or have any effect with respect to orders of detention, made under any State law, which are in force immediately before the commen-

cement of the National Security Ordinance, 1980, and accordingly every person in respect of whom an order of detention made under any State law is in force immediately before such commencement, shall be governed with respect to such detention by the provisions of such State law or where the State law under which such order of detention is made is an Ordinance (hereinafter referred to as the State Ordinance) promulgated by the Governor of that State and the State Ordinance has been replaced — 11 of 1980.

(i) before such commencement, by an enactment passed by the Legislature of that State, by such enactment; or

(ii) after such commencement, by an enactment which is passed by the Legislature of that State and the application of which is confined to orders of detention made before such commencement under the State Ordinance, by such enactment, as if this Act had not been enacted.

(2) Nothing in this section shall be deemed to bar the making, under section 3, of a detention order against any person referred to in sub-section (1) after the detention order in force in respect of him as aforesaid immediately before the commencement of the National Security Ordinance, 1980, ceases to have effect for any reason whatsoever. 11 of 1980.

*Explanation.*—For the purposes of this section, "State law" means any law providing for preventive detention on all or any of the grounds on which an order of detention may be made sub-section (2) of section 3 and in force in any State immediately before the commencement of the said Ordinance.

**18. Repeal and saving.**—(1) The National Security Ordinance, 1980, is hereby repealed. 11 of 1980.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act, as if this Act had come into force on the 23rd day of September, 1980, and, in particular, any reference made under section 10 of the said Ordinance and pending before any Advisory Board immediately before the date on which this Act receives the assent of the President may continue to be dealt with by that Board after that date as if such Board had been constituted under section 9 of this Act.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.